

ZB# 91-1

John Evans

13-5-5 & 6

Allen.

Var. 14, 1991

Present:

Wm. Wilketh, L.S.

Motion to
schedule
P.H.

Public Hearing

Feb. 25, 1991.

Use/Area.

Photos needed.

Notice to Sentinel on

1/31/91.

In good

Area/Use Variances

Granted

2/25/91.

General Receipt

11841

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

Jan 31 19 91

Received of

Devas & Hedreth

\$ 50.00

Fifty and

$\frac{00}{100}$

DOLLARS

For

3BA Application Fee

#91-1

DISTRIBUTION:

FUND	CODE	AMOUNT
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NO. 753

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

JOHN S. EVANS,

#91-1.

DECISION GRANTING
USE AND AREA VARIANCES

-----X

WHEREAS, JOHN S. EVANS, INC., a corporation having an office located at 189 Windsor Highway, New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for a (1) a use variance to construct a commercial building in an R-4 zone, and has applied for the following area variances: (2) 5,000 s.f. lot area, (3) 8 ft. side yard, (4) 35 ft. rear yard, (5) 1,000 s.f. minimum floor area and (6) 65% developmental coverage; and

WHEREAS, a public hearing was held on the 25th day of February, 1991 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, John S. Evans, the principal in the above-mentioned corporation, appeared with his surveyor, William Hildreth L.S. of Grevas and Hildreth, in support of the application; and

WHEREAS, the public hearing was attended by a neighboring resident who did not oppose the application after she was assured that the applicant had no intention of encroaching on her property which was located adjacent to the rear of the parcel in question; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a commercial building in an R-4 zone in order to house his vehicles and that same is not a permitted use in the R-4 zone, and in addition, the applicant is seeking permission to vary the bulk regulations with regard to lot area, side yard, rear yard, minimum floor area and developmental coverage with regard to the proposed construction of said commercial building in the R-4 zone.

3. The evidence presented by the applicant indicated that the commercial use of this property by the applicant is a pre-existing non-conforming use, pre-dating the adoption of

zoning in the Town of New Windsor. The applicant stated that the adjacent lot, which is also owned by the applicant, had been used for commercial purposes, in connection with the operation of his father's, and then his, business since the 1930's. In addition, the applicant further stated that the subject lot has been used for the parking of his commercial vehicles for 17 years.

4. The evidence presented by applicant further indicated that the applicant had suffered several incidents of vandalism to his vehicles due to their present outdoor storage on the subject property. The applicant stated that a fence would not afford adequate protection to his vehicles on the subject property since they would still be parked outside.

5. The Board finds that the applicant's present operation of his commercial business in an R-4 zone, and his present usage of the subject property for outdoor storage of equipment, is a pre-existing, non-conforming use of the property. Essentially the applicant seeks only to enclose within a building his present non-conforming, outdoor storage of equipment.

6. The applicant has filed the required short environmental assessment form in connection with his application.

7. The Zoning Board of Appeals of the Town of New Windsor has declared itself an involved agency in regard to the review of the applicant's request for a use variance, on the assumption that the Planning Board of the Town of New Windsor ultimately will declare itself lead agency in regard to the proposed construction by the applicant.

8. The Zoning Board of Appeals of the Town of New Windsor has reviewed the short environmental assessment form prepared by the applicant and has heard some of the neighbors speak out at the proposal at its aforesaid public hearing, and finds that the granting of this requested use variance will not result in any significant adverse environmental impact, and consequently has made a negative declaration under SEQRA for the requested use variance.

9. Based upon the evidence presented and the Board's familiarity with the applicant's property and the surrounding area, it is the finding of this Board that the applicant has demonstrated unnecessary hardship, enabling him the granting of the requested use variance to construct a commercial building in an R-4 zone.

10. The land in question cannot yield a reasonable return if used only for a permitted use due to its location next to the pre-existing, non-conforming commercial use.

11. The applicant's plight is unique, given the historical

usage of the subject property for outdoor storage, immediately adjacent to the commercial business, both of such uses being pre-existing and non-conforming.

12. The proposed use by the applicant will not alter the residential essential character of the locality since it merely will enclose within a building the present outdoor storage on the site.

13. The hardship in question is not self-created.

14. It is the further finding of this Board that the applicant has made a sufficient showing of practical difficulty and entitle him to the granting of the requested bulk variances.

15. The applicant has shown significant economic injury from the application of the bulk requirements to the subject property since the premises would be virtually unusable for any commercial building without substantial bulk variances to accompany the use variance, and the pre-existing outdoor storage of equipment has been shown to be uneconomic due to the ongoing problem of vandalism, and the subject property would be undesirable as a site for conforming, residential construction due to the immediately adjacent commercial business.

16. The requested variances are substantial in relation to the required bulk regulations that are granted by this Board on the basis that they represent a reasonable adjustment of the applicant's rights to make a use of subject property to which it is reasonably adapted, given the pre-existing non-conforming, present use thereof.

17. The requested variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

18. The requested variances will produce no effect on the population density or governmental facilities.

19. That there is no other feasible method available to applicant which can produce the necessary results other than the variance procedure.

20. The interest of justice would be served by allowing the the granting of the requested variances.

NOW, THEREFORE, BE IT

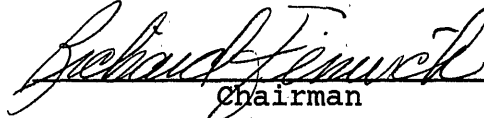
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) a use variance for the construction of a commercial building in an R-4 zone, and the following area variances: (1) 5,000 s.f. lot area; (2) 8 ft. side yard; (3) 35 ft. rear yard; (4) 1,000 s.f. minimum floor area; and (5) 65% developmental coverage sought by applicant in accordance with a

plan filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: March 25, 1991.


Chairman

(ZBA DISK#3-053085.FD)

PUBLIC HEARING: EVANS, JOHN S.

MR. KONKOL: This is a request for use variance to construct a commercial building in an R-4 zone and (1) 5,000 square foot lot are, (2) 9 foot sideyard, (3) 35 foot rear yard, (4) 1,000 square foot minimum livable area and (5) 65% developmental coverage.

Mr. William Hildreth, P.E. of Grevas & Hildreth came before the Board representing this proposal.

MR. BABCOCK: Maybe just quickly before they start, we went over these numbers last time. We decided to use column A 10 and myself and Bill went over what was the new building, what was the old building and exactly the numbers that you gentlemen wanted.

MR. KONKOL: Fine, okay.

MR. NUGENT: I have one question. What's the 1,000 square foot minimum livable area. This is a garage.

MR. HILDRETH: It's a residential zone.

MR. BABCOCK: It's a requirement that he has at least 1,000 square feet.

MR. NUGENT: Okay.

MR. HILDRETH: My name is William Hildreth and I'm Vice President of Grevas & Hildreth, land surveyors and I represent the applicant, Mr. Evans who is with me here tonight. First order of business, I guess is the mailings. Here is the assessor's list. There were, I can, they are in order but I can give you the demographics. We sent 50 notices, 5 were not returned which I don't know, I saw you had the envelope, I don't know if you sent the green card back or not. That's Mrs. Conklin and 1 was undelivered which you can see right there. I also have a copy of the notice if you want it.

MRS. BARNHART: No, I already have it, thank you.

MR. KONKOL: For the Members of the Board that weren't here, if you want to explain what Mr. Evans wants to do.

MR. HILDRETH: Certainly. He has an existing business which is on John Street in a residential zone and he also has a lot next door which he's been parking his

vehicles on and he wants to erect a building to put those vehicles in. Because it's in a residential zone, this is also going to require a use variance which was on the application as well. The numbers as Mike said appear at the top under the heading bulk tables. I'll go over them if you wish. What it amounts to in terms of bulk requirements, 5,000 square foot area variance. There are four tax lots involved. Of those four, we are looking at only two because that's the area to be developed and the other two tax lots already have the existing building on it. So, he has a total of 20,000 or excuse me, no, 10,000 square feet, excuse me. All right, I take that back, we're using the total area, right?

MR. BABCOCK: Yes.

MR. HILDRETH: It's 10,000. The amount of variance request is the same, 5,000 square feet. The side yard would be on the right side, 7 feet to the new building. Rear yard is 5, that results in a request of an 85 side yard variance and 35 foot rear yard. You'll notice that the existing building on its left side and rear side is much closer than that already. To answer Mr. Nugent's comment about the minimum livable floor area, obviously there's no residences on this. There's no livable floor area. However, it's in a residential zone so we're requesting the full amount of that variance. Developmental coverage we're not really increasing the developmental coverage because he was already using it as parking area. However, it exceeds the 30% residential developmental coverage. So, based on a 95% developmental coverage, we're looking for 65% variance that covers the bulk requirements and the amounts of the variances. I know there's new members, if you have any questions.

MR. PETRO: The Sager property, what's there?

MR. HILDRETH: That's a residential.

MR. PETRO: How far away from the property line is he?

MR. HILDRETH: Down here.

MR. PETRO: There's nothing back here at all?

MR. HILDRETH: There's a back yard, there's a fence but no structures. This is the building.

MR. TORLEY: And again, sir, would you address the issue of why you need the enclosed building rather than just a fence?

MR. HILDRETH: It's to protect the equipment against vandalism. The trucks are exposed out there in the parking lot. The fence can be reached, you can climb it, you can throw things over it. A building just is safer from a business standpoint. It's just safer.

MR. FINNEGAN: The purpose of the garage is simply and only be used to just house the trucks?

MR. HILDRETH: Yes.

MR. FINNEGAN: No business is going to take place inside the building?

MR. HILDRETH: You have an office in the other building?

MR. EVANS: My office is in my father's house.

MR. HILDRETH: That's it, it's just parking. I have pictures. They were requested at the last meeting.

MR. KONKOL: We would like to see them.

MR. HILDRETH: I also have, if no one minds turning around, I can post the map which shows the directions that they were taken. I have a total of 8 pictures. I can start with #1 taken from the street at the lower left hand side looking towards the property. #2 is farther down the street about the middle of the property looking towards the lower right hand corner of the building. #3 same position looking towards the empty lot that's going to have the building on it. #4 is taken from the street in the right hand side of the property looking towards the rear. #5 is closer to the building looking down what in the future will be between the two buildings. #6 is in the back looking at the corner where the wood steps are. That's an entry. #7 is standing on the property about where the front of the building would be looking across the street. #8, okay, #8 is about at the property line looking down between the two buildings.

MR. TORLEY: Sir, did you discuss this with the Fire Marshall about the access with the building?

MR. HILDRETH: I have not.

MR. FINNEGAN: I thought they already did that.

MR. BABCOCK: This went to the Planning Board and was referred here. The Bureau of Fire Prevention has approved it, Bobby Rogers, May of '90.

MR. FINNEGAN: Where these two trucks are, that's right where the building is going?

MR. HILDRETH: Yes, that's the snow is there now but it's a parking lot that he's been parking the trucks on and that's the area encompassed.

MR. PETRO: Five (5) foot alleyway coming down between the two buildings?

MR. HILDRETH: That's what they are going to end up with.

MR. TORLEY: Just about where that truck is.

MR. HILDRETH: That's point five. One of these pictures shows the deck, you can see how far out from the building the deck comes. That's right about where the building is going to be, they're numbered on the back, #6 does show that. All it shows is the steps.

MR. PETRO: You can see that's going to be the side of it.

MR. HILDRETH: There might have been a concrete frame that's under the snow.

MR. PETRO: There's a little deck there, it's under the snow.

MR. HILDRETH: That gives you an idea of the scale though.

MR. PETRO: Back of this property is below grade, you have 8 feet below.

MR. HILDRETH: Yes, there's a retaining wall here, 11 and 560, not a bad guess though by looking at the pictures.

MR. KONKOL: If there is anyone here in reference, if they want to stand and state their name and address and whether you are for or against it.

YVONNE CONKLIN: My name is Yvonne Conklin and I live at 23 High Street, New Windsor and the back of his building is right to my back yard and he's telling me that I have got sections 13, 5 and 22 and he's telling me that they won't be in my back yard but I can't understand. All right, he pointed out a block, blocks 13, blocks 13 and blocks 5, I don't want nobody in my back yard. I'm not giving up none of my back yard.

MR. KONKOL: His existing building is already bordering your property.

MRS. CONKLIN: Yes but there ain't nothing else going on it.

MR. KONKOL: No, nothing else in that area going to be there. Would you like to come up and see this map further? I think it would be easier.

MRS. CONKLIN: I'm not trying to be rotten.

MR. HILDRETH: She recognizes the tax map numbers. She's just trying to--

MRS. CONKLIN: I have got four kids. Can you understand what I am saying?

MR. KONKOL: What he is proposing to do, this is your property right here, okay, this is his existing building where he is now, okay, this is the vard over here where he is parking the trucks. This is where he wants to put the building. He wants to close that up so he can put equipment under cover and your building is way over here.

MRS. CONKLIN: I'm up on High Street, where is his?

MR. KONKOL: Existing shop is right here now.

MRS. CONKLIN: Then I'm up here because it comes, my back yard comes right down here where his shop is.

MR. HILDRETH: Right.

MR. KONKOL: This is over here, I guess where his father lives over this way, right?

MRS. CONKLIN: I don't know where his father is.

MR. KONKOL: It's not going to effect you at all.

MRS. CONKLIN: I don't understand the 13 and the 5 and he was trying to tell me.

MR. HILDRETH: She recognizes her section and her block number and she thought that that meant we were talking about her tax lot.

MR. BABCOCK: Section and block are all the same in the same area. A section number would be the same, it's a large map, a large map would be a section of New Windsor. A block would be a large area in that section

and then individual lot numbers so the only thing that would be different from you and this gentleman would be a lot number. Your section and block would be the same.

MRS. CONKLIN: Well, the only reason I even came here was because I thought he was trying to build something in my back yard.

MR. BABCOCK: He cannot build on your property.

MR. KONKOL: Here you see where his property is now which is by your yard, this over here is going to be the building, okay?

MRS. CONKLIN: All right, just as long as he ain't getting in my yard.

MR. KONKOL: You're not objecting then, Mrs. Conklin based on that it is not being built on your property?

MRS. CONKLIN: No, I don't care as long as he don't get on my property. I got four kids, I got the big back yard for my kids and my dogs and my cats.

MR. KONKOL: It will be the same, okay?

MRS. CONKLIN: All right and maybe I'll move out soon.

MR. KONKOL: Okay, I'm going to close the public hearing and kick it back to the Board. No questions?

MR. HILDRETH: I brought an example of what he wants it to look like.

MR. KONKOL: Can I have a motion?

MR. LUCIA: Since this is a use, an area variance on the use variance, Bill, can I have you speak to the issue of unnecessary hardship. They specifically-- does Mr. Evans take the position that the land as it's presently zoned can't yield a reasonable return if used only for residential purposes?

MR. HILDRETH: Yes, based on the fact that it's an existing, on-going business, that's correct.

MR. LUCIA: Is his situation unique with respect to this property?

MR. HILDRETH: It's unique.

MR. PETRO: It's the only crane service in New Windsor.

MR. HILDRETH: Yes.

MR. KONKOL: Jack, would you want to comment on how many years you have been in that location?

MR. EVANS: I have been using that piece of property 17 years to park on and the other one, my father went in business in 1930 so I guess around 35, 1936 we have been in that garage, the old garage, even bought that property 17 years ago.

MR. TORLEY: Predated any zoning.

MR. LUCIA: Will this alter the essential character of the locality?

MR. HILDRETH: I would say not.

MR. KONKOL: I would say improve it.

MR. FINNEGAN: It's going to be used for the same purpose.

MR. HILDRETH: Same purpose, the trucks that are there are still going to be there. He just wants to enclose it.

MR. LUCIA: Is that in any way a selfcreated hardship?

MR. HILDRETH: No, sir.

MR. LUCIA: Let's turn to the area variance, what significant economic injury is he claiming entitles him to this area variance?

MR. HILDRETH: He needs to protect his trucks, to protect his business or to keep his business he needs the trucks to use in his business.

MR. FINNEGAN: That's taken 17 years now the vandalism has increased.

MR. EVANS: I had more trucks than I had in the past and I painted two trucks already this year because they got banged up.

MR. LUCIA: If we can just for a moment let's turn to see, I'm not sure how far along you were with the Planning Board. Did the Planning Board take lead agency status or have they done anything with respect to SEQRA?

MR. HILDRETH: They have not. If they have declared lead agency, that's all. If you want, I can check the files and see if I can come up with anything but I don't even know if they have done that yet. I think all I got was a referral. I don't have it. Mike, do you recall?

MR. BABCOCK: I don't have anything here. Let me just. No, I don't have anything. I think it was just strictly a referral.

MR. LUCIA: I presume ultimately they'll take lead agency status. We would just be an involved agency on it and--

MR. HILDRETH: That's their normal practice.

MR. LUCIA: On the use variance, just to cover us for SEQRA, we probably should entertain a motion to be an involved agency on this assuming the Planning Board ultimately takes lead agency status and we also would have to make a negative declaration that there is no significant adverse environmental impact from the use variance on this property so we probably should do that as two separate motions as well as the motion on the use variance.

MR. TORLEY: I'll make a motion for a negative finding.

MR. LUCIA: Negative declaration.

MR. FINNEGAN: Did Sager return one of those cards?

MR. HILDRETH: I don't think that's one of the ones that did not come back.

MR. TORLEY: I make a motion to have a negative finding for SEQRA.

MR. LUCIA: First a motion to be an involved agency, assuming the Planning Board becomes lead agency.

MR. TORLEY: I move that we become an involved agency for the SEQRA procedures.

MR. TANNER: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye

ROLL CALL (CONT'D):

Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye

MR. KONKOL: Now you want a motion for the negative declaration?

MR. TORLEY: I'll move for a negative declaration for SEQRA purposes.

MR. TANNER: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye

MR. KONKOL: Now we--

MR. NUGENT: I make a motion we grant the variance.

MR. PETRO: I'll second that one.

MR. LUCIA: Both the use and the area variance.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye

MR. KONKOL: You're going to have to wait for the formal decision before you can start.

MR. HILDRETH: I have to go back to the Planning Board anyway.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

91-1

Date: 1/31/91.

I. Applicant Information:

- (a) JOHN S. EVANS, INC.; 189 WINDSOR HIGHWAY, NEW WINDSOR, N.Y. 12553
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☒ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-4 127-133 JOHN STREET 13-5-5,6,7,8 10,000 S.F.
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? PI, NC
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 7/19/73
- (e) Has property been subdivided previously? No When? N/A
- (f) Has property been subject of variance or special permit previously? No When? N/A
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: CURRENT OUTSIDE STORAGE OF VEHICLES
PURPOSE OF APPLICATION IS TO ERECT POLE BUILDING TO MOVE STORAGE
INSIDE. NO NEW OUTSIDE STORAGE IS PROPOSED

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-12, Table of USE Regs., Col. A-10, to allow:
(Describe proposal) COMMERCIAL (BUSINESS) USE IN A
RESIDENTIAL ZONE.

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

HARDSHIP OF ECONOMIC LOSS TO BUSINESS DUE TO VANDALISM OF VEHICLES PARKED OUT DOORS.
CONSTRUCTION OF A FENCE WOULD NOT PREVENT VANDALISM OR PROTECT AGAINST WEATHER

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. A-10.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>15,000 S.F.</u>	<u>10,000 S.F.</u>	<u>5,000 S.F.</u>
Min. Lot Width <u>100'</u>	<u>100'</u>	<u>0</u>
Reqd. Front Yd. <u>35'</u>	<u>35'</u>	<u>0</u>
Reqd. Side Yd. <u>15'</u>	<u>7'</u>	<u>8'</u>
Reqd. Rear Yd. <u>40'</u>	<u>5'</u>	<u>35'</u>
Reqd. Street Frontage* <u>60'</u>	<u>100'</u>	<u>0</u>
Max. Bldg. Hgt. <u>35'</u>	<u><35'</u>	<u>0</u>
Min. Floor Area* <u>1,000 SP</u>	<u>0</u>	<u>1,000 SP</u>
Dev. Coverage* <u>30% %</u>	<u>95% %</u>	<u>65% %</u>
Floor Area Ratio** <u>N/A</u>		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

CONSTRUCTION OF A BUILDING IS NOT POSSIBLE WITHIN FRAMEWORK OF BULK REQUIREMENTS IN V.(a) ABOVE.

VI. Sign Variance: N/A

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

N/A

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

NONE

VII Interpretation:

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Co. _____

- (b) Describe in detail the proposal before the Board:

N/A

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

PROPOSED BUILDING WOULD BE CONSTRUCTED ON AN EXISTING SHALE PARKING AREA. ALTHOUGH BUILDING SQUARE FOOTAGE WOULD INCREASE, TOTAL DEVELOPED AREA OF THE LOT REMAINS THE SAME.

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☒ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$50.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date JANUARY 31, 1991

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

[Signature]
(Applicant)

Sworn to before me this

31st day of January, 1991.

[Signature]

PATRICIA A. BARNHART
Notary Public, State of New York
No. 018A4904434
Qualified in Orange County
Commission Expires August 31, 1991.

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT / SPONSOR <u>JOHN S. EVANS, INC</u>	2. PROJECT NAME <u>SITE PLAN</u>
3. PROJECT LOCATION: Municipality <u>TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>127-133 JOHN STREET (SOUTH SIDE), 300' WEST OF SPRING STREET</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>CONSTRUCTION OF 2,520 SQ. FT. POLE BUILDING</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.23</u> acres Ultimately <u>0.23</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>USE AND BULK VARIANCES REQUIRED FROM TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>JOHN S. EVANS</u>	Date: <u>31 Jan. 1991</u>
Signature: <u>William B. Tilden, L.S.</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>PLANNING BOARD - LEAD AGENCY</u>	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: <u>NO</u>	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: <u>NO</u>	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: <u>NO</u>	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: <u>NO</u>	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly. <u>NO</u>	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly. <u>NO</u>	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly. <u>NO</u>	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<u>ZBK - INVOLVED AGENCY</u>	
Name of Lead Agency	
<u>Donald P. Joseph Vice Chairman</u>	
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	
Signature of Preparer (If different from responsible officer)	
<u>2/25/91</u>	
Date	

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 90-21

Revised
DATE: 1-31-91

APPLICANT: John N. Evans

30 Hilltop Drive

New Windsor, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 4 April 1990

FOR (SUBDIVISION - SITE PLAN) _____

LOCATED AT John Street

_____ ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 13 BLOCK: 5 LOT: 5 & 6

IS DISAPPROVED ON THE FOLLOWING GROUNDS: USE VARIANCE AND

REAR VARIANCE'S OF LOT AREA - ONE

SIDE YARD - REAR YARD - MIN LIVABLE AREA

DEV. COVERAGE

PLANNING BOARD CHAIRMAN

REQUIREMENTS

COLUMN
A-10

PROPOSED OR
AVAILABLE

VARIANCE
REQUEST

ZONE R4 USE

APPLICANT: John N. Evans
30 Hilltop Drive
New Windsor, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 4 April 1990
FOR (SUBDIVISION - SITE PLAN)
LOCATED AT John Street

ZONE R-4
DESCRIPTION OF EXISTING SITE: SEC: 13 BLOCK: 5 LOT: 5 & 6

DISAPPROVED ON THE FOLLOWING GROUNDS: USE VARIANCE AND
AREA VARIANCE'S OF LOT AREA - ONE
SIDE YARD - REAR YARD - MIN LIVABLE AREA
DEV. COVERAGE

PLANNING BOARD CHAIRMAN

REQUIREMENTS	COLUMN A-10	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u> USE			
MIN. LOT AREA	<u>15,000</u>	<u>10,000</u>	<u>5,000</u>
MIN. LOT WIDTH	<u>100</u>	<u>100</u>	<u>—</u>
REQ'D FRONT YD	<u>35</u>	<u>—</u>	<u>—</u>
REQ'D SIDE YD.	<u>15</u>	<u>NEW BUILDING</u> <u>7'</u>	<u>8</u>
REQ'D TOTAL SIDE YD.	<u>30</u>	<u>—</u>	<u>—</u>
REQ'D REAR YD.	<u>40</u>	<u>NEW BUILDING</u> <u>5'</u>	<u>35</u>
REQ'D FRONTAGE	<u>60</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT.	<u>35</u>	<u>—</u>	<u>—</u>
FLOOR AREA RATIO	<u>NA</u>	<u>—</u>	<u>—</u>
MIN. LIVABLE AREA	<u>1,000</u>	<u>0</u>	<u>1,000.00</u>
	<u>75</u>	<u>95</u>	<u>65</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS!

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

May 9, 1990

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TOWN OF NEW WINDSOR
PLANNING BOARD MEETING

WEDNESDAY, MAY 9, 1990 - 7:30 P.M.

MEMBERS PRESENT:

John Pagano
Dan McCarville
Henry VanLeeuwen
Vince Soukup
Carmen DuBaldi

ALSO PRESENT:

Mark Edsall, P.E., Planning Board Engineer
Andrew Krieger, Esq., Planning Board Attorney
Michael Babcock, Building Inspector
Dino Sciamanna

ABSENT:

Ron Lander
Carl Schiefer

BY MR. PAGANO: I'd like to call the May 9, 1990 regular meeting of the Planning Board of the Town of New Windsor to order. We will dispense with the approval of the minutes until next month's meeting.

JOHN EVANS SITE PLAN:

John Evans came before the Board presenting his proposal.

BY MR. EVANS: I live at 30 Hilltop Drive. At this point in time, I don't know what to say. I sat with these fellas twice or once with Babcock and the other fella twice.

BY MR. VANLEEUEWEN: What is this building mainly for?

BY MR. EVANS: Just storage, just protect my trucks from vandalism.

BY MR. VANLEEUEWEN: They are hitting you, too?

BY MR. EVANS: It is a tough section, funny section, let me put it that way.

BY MR. SOUKUP: What is the existing building height, the concrete building height?

BY MR. EVANS: Fourteen feet.

BY MR. SOUKUP: New one is --

BY MR. EVANS: With the peak, I'd go 20 feet. It's got a peak. I have a flat roof building now.

BY MR. VANLEEUEWEN: That is at the center of the peak, so probably 20 feet, probably 14 feet at the eave height, depends how big the building is, 42 feet probably, 14 to 16.

BY MR. EVANS: I want to make this area wider to widen it out.

BY MR. VANLEEUEWEN: What kind of building are you going to put?

BY MR. EVANS: Pole building.

BY MR. MCCARVILLE: You are going to have to go to the Zoning Board for a setback variance, five foot off the property line.

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BY MR. VANLEEUEWEN: Five feet in the back and seven feet on the right side of the property and you have got 42 foot setback.

BY MR. PAGANO: Mark, I know you just walked in, we hate to ask you a question so can you elaborate on this Evans application as to, you know, his sight distances, clearances, variances, whatever else is needed here?

BY MR. EDSALL: It is a nonconforming use in that zone. If it was a connected extension it would be allowed up to 30 percent but by virtue of the fact that it is not a connected extension, it is a new building and by virtue of the fact it is over 30 percent anyway, it exceeds that portion of the zone that could slip under as far as extension of nonconforming uses which means that what he is doing isn't allowed by zoning, so he needs to go to the Zoning Board of Appeals.

BY MR. PAGANO: We have to turn him down so he can go to the Zoning Board?

BY MR. EDSALL: What he should do is make sure that the surveyor provides enough information so any variance he needs he gets, so when he comes back they have given him the variances for everything he needs so this Board can consider it.

BY MR. SOUKUP: You are going to need a site plan with all the yard requirements and building coverages.

BY MR. EVANS: I don't think my surveyor is capable of doing that.

BY MR. EDSALL: One of the problems we had is that since the zoning doesn't allow it, we don't know what bulk requirements he has to provide, so the Zoning Board is going to tell us that, so the Zoning Board should allow him a variance for this specific case and maybe they will allow him to build a building a certain height, a certain setback because our Board doesn't have a bulk table for this use. It is nonconforming.

BY MR. VANLEEUEWEN: If he added, can I say

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something to you, if he made that a concrete block building and put an addition to his building, then he can have 30 percent more?

BY MR. EDSALL: We discussed that with him at the work session but --

BY MR. VANLEEUEWEN: Not big enough?

BY MR. EVANS: No.

BY MR. EDSALL: It wasn't enough so if he needed more than 30 percent, he should try for what he wants. If he doesn't get the variance, then he should try for the 30 percent and use the other portion of the lot.

BY MR. PAGANO: We need a motion to approve so we can disapprove.

BY MR. VANLEEUEWEN: I will make a motion to approve it.

BY MR. MCCARVILLE: I will second it.

ROLL CALL:

VanLeeuwen:	No.
McCarville:	No.
Soukup:	No.
DuBaldi:	No.
Pagano:	No.

BY MR. VANLEEUEWEN: The Zoning Board is going to want a recommendation from us.

BY MR. SOUKUP: I don't think there is enough information on the plan to make a recommendation. We don't know what the criteria is, we don't know what bulk table to compare it against.

BY MR. VANLEEUEWEN: There is no bulk table to compare it with.

BY MR. SOUKUP: There should be something, either similar in use or existing zone. There should be some additional data to judge from before you make a recommendation. I think my own gut feeling, I

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don't think there is enough information there to consider making a recommendation at this time but that is my own personal opinion.

BY MR. PAGANO: It's going to the Zoning Board without a recommendation.

BY MR. EDSALL: What he is looking for is a use variance which I would say notwithstanding any obviously there is going to be concerns about bulk information but if you have any opinions on the exterior or expansion of that use, you may want to comment on that to help the Zoning Board.

BY MR. VANLEEUEWEN: I don't think it is really going to hurt that area.

BY MR. SOUKUP: It is an established use and you are using that area for equipment storage now.

BY MR. EVANS: Yes, only going to put a roof on.

BY MR. SOUKUP: So the use is not a major problem on my part.

BY MR. VANLEEUEWEN: I think we should send the Zoning Board that we'd like to see this happen. It is not going to hurt anything in the area. It's already there. This is an empty lot there.

BY MR. SOUKUP: As far as use, I have no problem. As far as setback and dimensions I don't know.

BY MR. VANLEEUEWEN: That is either for the Zoning Board to straighten out or we can face that the next meeting when he comes back again.

BY MR. PAGANO: Do you want to make it in the form of a motion?

BY MR. VANLEEUEWEN: I make a motion to that effect that we send the Zoning Board a recommendation that we approve of a building going alongside to protect his equipment as submitted.

BY MR. PAGANO: As submitted, I don't see anything about height.

BY MR. EDSALL: That is what I want to suggest is

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that you ask the Zoning Board to set bulk requirements so when it comes back, you have something to work with otherwise you don't have any bulk requirements.

BY MR. PAGANO: Do you accept that as an addition to the motion?

BY MR. VANLEEuwEN: Yes.

BY MR. McCARVILLE: I don't think we should be in the position where we are giving motions. We are sending a recommendation. I think a recommendation should come from the chairman and kind of sum up the position of the Board.

BY MR. VANLEEuwEN: I don't think it should be done in the form of a motion.

BY MR. PAGANO: Assign me the duty.

BY MR. VANLEEuwEN: Just poll the Board and see how they feel about it because you can't do it on your own, poll the Board.

BY MR. SOUKUP: The use is appropriate. The bulk table and the setbacks should be set by the Board based on their hearing.

BY MR. KRIEGER: If they decide to approve.

BY MR. DU BALDI: We need bulk table from the Zoning Board of Appeals?

BY MR. SOUKUP: And they should advise the, what the dimensional setbacks they want.

BY MR. PAGANO: They are going to approve or disapprove the variance. Then --

BY MR. DU BALDI: When they approve or disapprove.

BY MR. VANLEEuwEN: They have to give us bulk tables to work with.

BY MR. SOUKUP: They should provide us with a bulk table for the site plan approval process.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

(50)

5 not returned
1 undelivered

January 23, 1991

Grevas & Hildreth, P.C.
33 Quassaick Avenue
New Windsor, NY 12553

Re: Tax Map Parcel #13-5-5,6,7,8 (Mae H. Evans)

Dear Sirs:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$75.00, minus your deposit of \$25.00.

Please remit the balance of \$50.00 to the Town Clerk, Town of New Windsor, NY.

Very truly yours,

L. Cook

LESLIE COOK
Sole Assessor

LC/cad
Attachments

cc: Pat Barnhardt

Miron, Stephen E. & Kenneth L.
c/o Federal Block Corp.
P.O. Box 4090
New Windsor, NY 12553

H.C. Davis Boiler Works Inc.
3 Susan Dr.
New Windsor, NY 12553

Tri-Web Realty Corp.
70 John St. (Columbus Ave.)
New Windsor, NY 12553

Paffendorf, Brewster H. & Geraldine C.
1 Quassaick Ave.
New Windsor, NY 12553

Candle Properties Inc.
c/o AHP Consultants Ltd.
1 Blue Hill Plaza, Box 1733
Pearl River, NY 10965

Zamenick, Shirley & Frederick
160 Walsh Ave.
New Windsor, NY 12553

McCarthy, Francis
Estate of Francis McCarthy
140 John St.
New Windsor, NY 12553

Lanton, Louis E. & Kimberly H.
138 John St.
New Windsor, NY 12553

Post, James & Marianne
136 John St.
New Windsor, NY 12553

Prajapati, Hemlata V.
34 Park Hill Dr.
New Windsor, NY 12553

Peragine, Joseph
Apt. 10G 333 East 55th St.
New York, NY 10022

Pietrobuono, Gina
128 John St.
New Windsor, NY 12553

Brown, James J. & Irene
126 John St.
New Windsor, NY 12553

Mitchell, Nancy Lee & William J.
124 John St.
New Windsor, NY 12553

Stone, Elizabeth
122 John St.
New Windsor, NY 12553

Ellingsen, Kenneth & Barbara
120 John St.
New Windsor, NY 12553

Stent, Edward C. & Emma F.
118 John St.
New Windsor, NY 12553

McDaniel James & Dorothy
116 John St.
New Windsor, NY 12553

DePace, Samuel & Masako
112 John St.
New Windsor, NY 12553

Van Zandt, Thomas E. & Marlene F.
108 John St.
New Windsor, NY 12553

Ostner, Richard
RD 2 Bethlehem Rd.
New Windsor, NY 12553

Specialty Powder Metallurgy Products Corp.
23 Spring Rock Road
New Windsor, NY 12553

Jensen, James C. Jr.
139 John St.
New Windsor, NY 12553

Sager, Gladys
135 John St.
New Windsor, NY 12553

Frisenda, Ubaldo & Maria
123 John St.
New Windsor, NY 12553

Sirio, Tommaso & Loretta
119 John St.
New Windsor, NY 12553

De Sousa, Constantino & Kathi
P.O. Box 4218
New Windsor, NY 12553

Ostner, Richard G. & Linda S.
66 Union Ave.
New Windsor, NY 12553

Collins, Michael & Donna
6 Cedar Ave.
New Windsor, NY 12553

Bridge Road Realty Corp.
102 Windsor Hwy.
New Windsor, NY 12553

Carney, John & Mary
5 High St.
New Windsor, NY 12553

Conklin, Yvonne
23 High St.
New Windsor, NY 12553

Perren, Cathleen
27 High St.
New Windsor, NY 12553

Santoro, Alex & Kohl, Robert
161 Walsh Rd.
New Windsor, NY 12553

Russell, Thomas & Karen D.
165 Walsh Ave.
New Windsor, NY 12553

Rumsey, Charles E. Jr. & Frances R.
192 Walsh Rd.
New Windsor, NY 12553

Blinn, Nancy M.
P.O. Box 2618
Newburgh, NY 12550

Quassaick Fire Engine Co. of New Windsor
Walsh Rd.
New Windsor, NY 12553

Babcock, Charles
155 Walsh Rd.
New Windsor, NY 12553

FWAR Inc.
137 Walsh Rd.
New Windsor, NY 12553

Salko-Mable Furniture Inc.
170 Walsh Rd.
New Windsor, NY 12553

Vesely, Joseph F. Jr. & Gail M.
172 Walsh Ave.
New Windsor, NY 12553

Coritz, Albert J. & Albert A. & Alison
178 Walsh Ave.
New Windsor, NY 12553

Mehl, Leon & Dixie
RD 1 Rock Cut Rd.
Walden, NY 12586

Sloboda, Edward Frederick & John Henry
8 Blanche Ave.
New Windsor, NY 12553

Marchetta, Maddalena
188 Walsh Ave.
New Windsor, NY 12553

Pelus, Rudolph & Ella
20 Cedar Ave.
New Windsor, NY 12553

Ostner Richard A. & Christine B.
Box 346 RD 2 Bethlehem Rd.
New Windsor, NY 12553

Catalano, Toni Ann
30 Quassaick Ave.
New Windsor, NY 12553

Eldridge, Jean & Lulu
211 Walsh Ave.
New Windsor, NY 12553

Jones, Harold & Shirley
9 Cedar Ave.
New Windsor, NY 12553

Slevin, William C. & Carol A.
21 Cedar Ave.
New Windsor, NY 12553

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 91-1

Request of JOHN S. EVANS, INC.

for a VARIANCE

of

the regulations of the Zoning Local Law to

~~CONSTRUCTION OF A POLE BUILDING IN CONJUNCTION~~
permit ~~WITH AN EXISTING COMMERCIAL USE IN A~~
~~RESIDENTIAL ZONE REQUIRING BULK VARIANCES FOR LOT AREA,~~
~~SIDE & REAR YARD SETBACKS, LIVABLE FLOOR AREA & DEVELOPMENT COVERAGE;~~

being a VARIANCE

of

Section 48-12-TABLE OF USE/BULK REGULATIONS R-4 A-10

for property situated as follows:

TAX MAP SECTION 13-5-5, 6, 7 & 8

127-133 JOHN STREET, New Windsor, NY.

SAID HEARING will take place on the 25TH day of
FEBRUARY, 1991, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

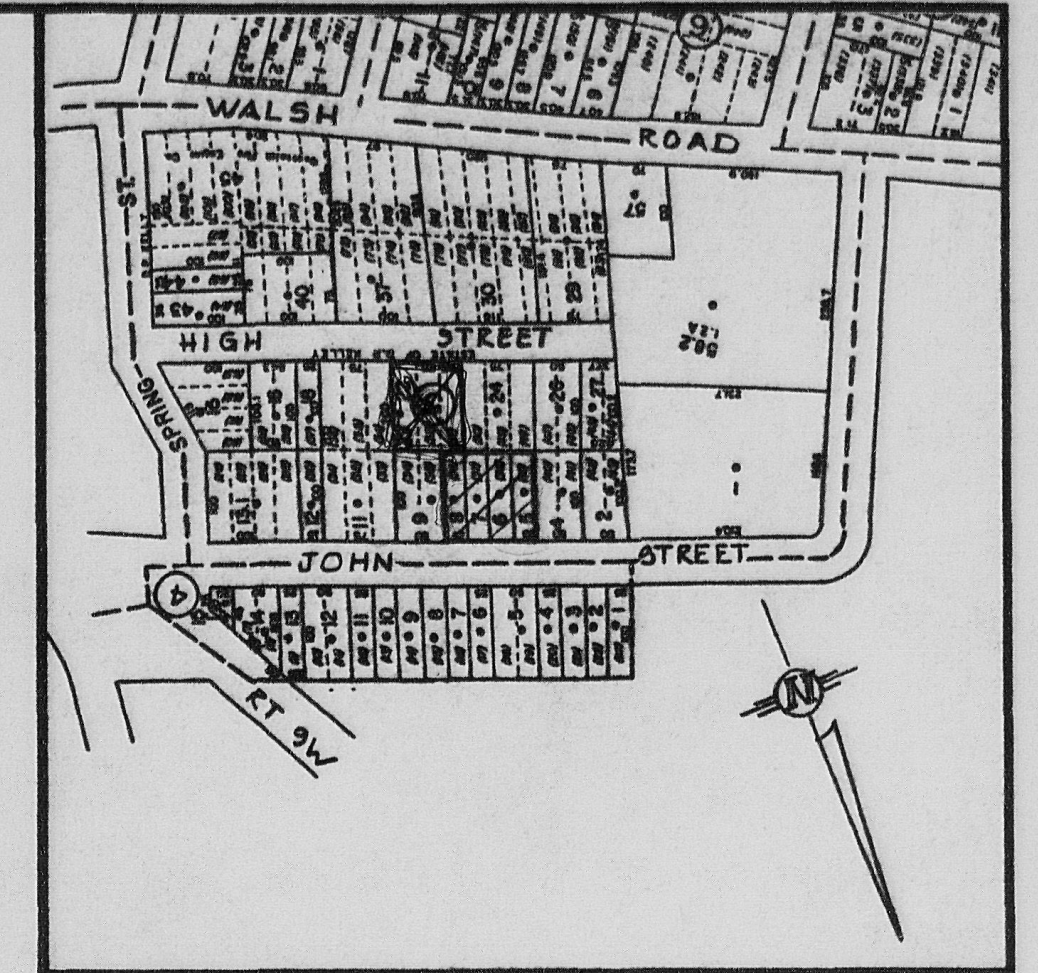
RICHARD FENWICK
Chairman

N/F CONKLIN

N/F EVANS

R4-A10 BULK TABLE

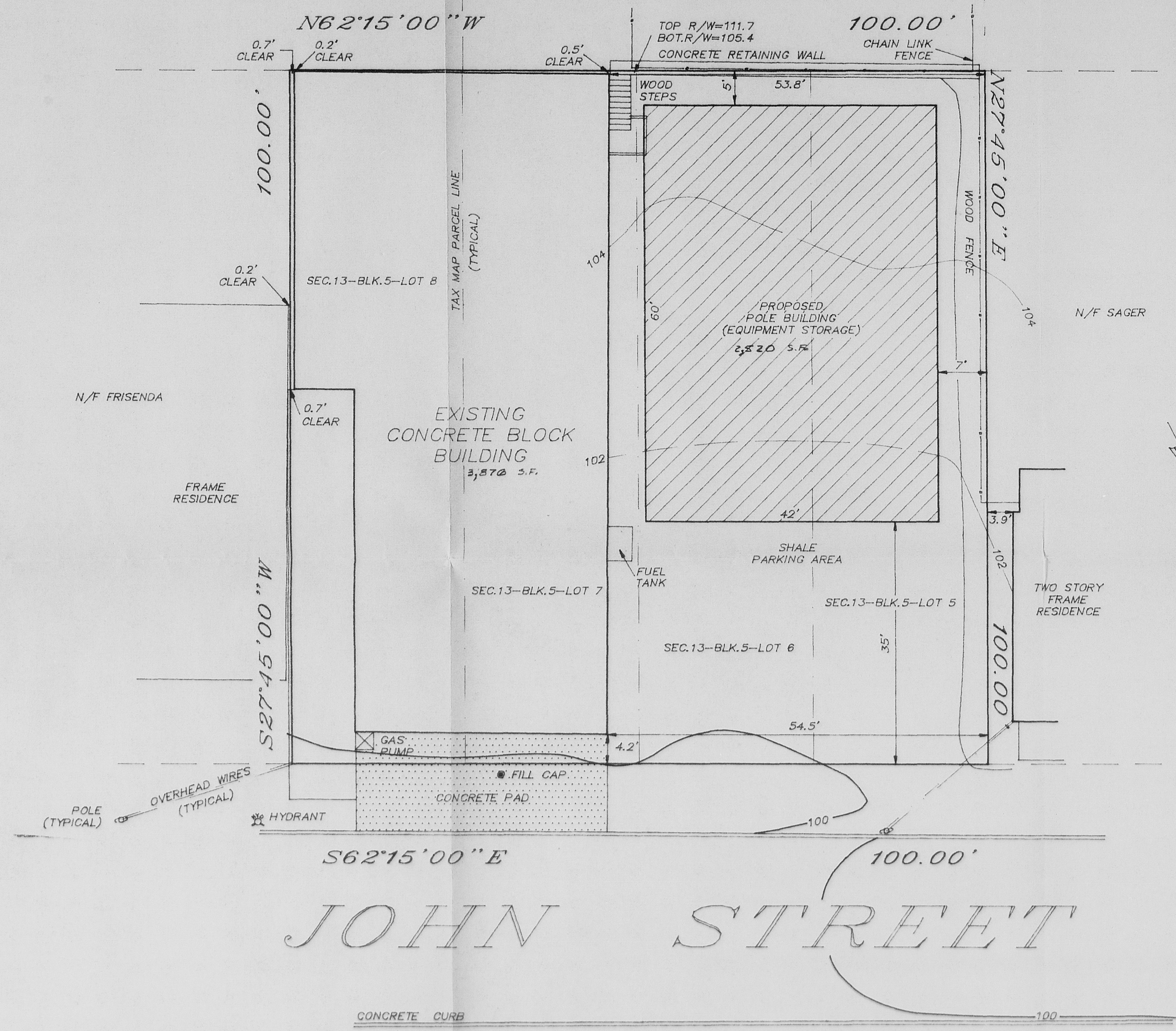
	Area	Lot Width	Front Yard	Rear Yard	Side Yard	Street Frntg.	Min. Floor Area	Bldg. Height	Lot Dev. Coverage
Required:	15,000 S.F.	100'	35'	40'	15'	60'	1000 SF	35'	30%
Proposed:	10,000 S.F.	100'	35'	5'	7'	100'	0	<35'	95%



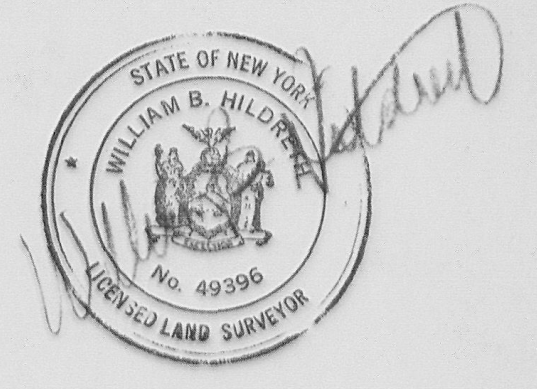
LOCATION PLAN SCALE: 1"=200' +/-

NOTES

1. Being a proposed development of lands shown on the Town of New Windsor Tax Maps as Section 13, Block 5, Lots 5, 6, 7 & 8.
2. PROPERTY ZONE: R-4
3. PROPOSED USE: Equipment Storage in Conjunction With Existing Commercial Use
4. PROPERTY OWNER: Mae H. Evans
189 Windsor Highway
New Windsor, NY 12553
5. APPLICANT: John S. Evans, Inc.
189 Windsor Highway
New Windsor, NY 12553
6. There are no water or sewer services proposed as part of this project.
7. Boundary information shown hereon taken from a plan entitled "Plot Plan for Mae H. Evans", said plan having been prepared by Frank M. Hones, Land Surveyor, last revised on 1 March 1990.
8. Topographic information shown hereon resulted from a field survey performed by the undersigned and completed on 16 October 1990. Contour Interval: Two (2) Feet.
9. The elevations shown hereon are random only and are not referenced to any known or established datum.
10. Unauthorized addition or alteration to this plan is a violation of Section 7209 (2) of the New York State Education Law.



PLANNING BOARD APPROVAL



Grevas & Hildreth, P.C. 33 QUASSACK AVENUE, NEW WINDSOR, NEW YORK 12553 TEL: (914) 662-6887		PLAN FOR: MAE H. EVANS
REVISIONS:	TOWN OF NEW WINDSOR ORANGE COUNTY NEW YORK	
DATE: 1/31/91	DESCRIPTION: REV. FOR COMM. BOARD PUBLIC HEARING	Drawn: SRG Checked: JSH Scale: 1"=10' Date: 31 Oct 1990 Job No: 90-060

SITE PLAN